



**CHAVES COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**

William E. Cavin, Chair  
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Dara Dana, Member  
T. Calder Ezzell Jr, Member  
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**SPECIAL MEETING MINUTES**

**THURSDAY, JUNE 17, 2021**

**EASTERN NEW MEXICO STATE FAIR GROUNDS**  
**MEETING HALL – 2500 SE MAIN STREET, ROSWELL, NM 88203**

**CALL TO ORDER**

Chairman Cavin called the meeting to order at 7:00 pm. Those present were, Commissioners Cavin, Bilberry, Ezzell, Dana, and Taylor. Also present were County Manager, Bill Williams, County Clerk, Cindy Fuller, news media, staff, and guests. Chairman Cavin led in the pledge and Commissioner Bilberry led in prayer. Commissioner Cavin introduced Margaret Byfield with the American Stewards of Liberty.

**PRESENTATION**

*Presenter: Margaret Byfield, American Stewards of Liberty*

Ms. Byfield thanked the Commissioners and those in attendance. She stated when it comes to the really big fights, fights where they need Counties and landowners, they can always count on Chaves County. The new administration is pushing a radical environmental agenda. American Stewards is a property rights organization. She gave some history about the ranch her family ran in Nevada. In 1991, they filed the first land grazing case which went all the way to the Supreme Court. The Supreme Court did not hear the case. Ms. Byfield quoted E. Wayne Hage, "Either you have the right to own property, or you are property". They follow the environmental movement very closely because they always want to be ahead of what they're going to do. After we learned that President Biden was going to be our President, they began to look at the policy positions and who would be in those positions. They kept seeing 30 x 30 in all the environmental literature. They found that in the last session, there was a Senate and House resolution for 30 x 30 that was co-sponsored by then, Senator Harris and Representative Haaland. 30 x 30 is a very radical environmental agenda that believes we must permanently protect 30% of our lands and oceans by 2030 in its natural state. Senator Udall is also a key component of this. Only ten Senators signed on to this resolution in the Senate and only five in the House, this is not a popular concept. The key is, now all their people are in power.

The Center for American Progress put out a report called "How much nature should America Keep?". This is a very progressive, left organization. There were five important take a ways from this report that they believe

1. 1 million species will go extinct worldwide in the coming decades, including 1/3 of all species in the US. Ms. Byfield stated there is no science behind this. They are using models which are highly unreliable.
2. We are losing a football field of habitat every 30 seconds.
3. 2/3 of development is on private lands and we have only permanently protected 1%
4. Only 12% of total land in the US is permanently protected in its natural state
5. Lands preserved must include areas of high biodiversity and productivity.

American Stewards wrote an article on January 21, 2021 called "Remember Cattle Free by '93? Here comes 30 x 30" to make people aware. On January 27, 2021, a 57-page climate crisis executive order was issued. In section 216 the President says the Secretary of Interior, along with other agencies "shall submit a report to the Task Force within 90 days to achieve the goal of conserving at least 30 percent of our lands and waters by 2030". The same day, the DOI issued a fact sheet. They state that 60% of land in the continental US is in a natural state but we are



losing a football field worth of it every 30 seconds and approximately one million animal and plant species are at risk of extinction in the coming decades, including one third of US wildlife and only 12% of lands are permanently protected. Six days after President Biden was elected, we were dealing with 30 x 30. Let's break it down, what is the 12%? They consider the 12% to be: national parks, wilderness areas, permanent conservation easements on private land, state parks, national wildlife refuges, national monuments, and other protected areas. The CAP report states "according to the currently accepted international and domestic standards, for an area of land or ocean to be counted as protected, it must be permanently protected in a natural condition, an extractive uses must be limited or prohibited". As you probably noticed, this says "international". This is an agenda that is being pushed worldwide. Biden is saying this is a locally driven agenda.

How much land is 30%? According to the Congressional Research Center, there are 2.27 billion acres in the US. 30% of that is 681 million acres. 12% is 272 million acres, the gap is 409 million acres. They want to take 681 million acres. The federal government already owns 28% of our land but not all of that is permanently protected in its natural state. There is a huge target on private land. We wanted to check their math. If we're losing a football field every 30 seconds that's 3,000 acres a day, 1.1 million acres a year, and 11 million acres by 2030 but they seek 681 million acres in nine short years. They are trying to take 25% more land than what they say we're losing to development. This is what she said but the math is not correct as any of those figures are well over 25% more than 11 million. Is this really about conservation or control?

In the climate crisis executive order 14008 it states, "the Biden Administration will work to achieve this 30 x 30 goal by supporting local, state, private, and tribally led nature conservation and restoration efforts that are underway across America". Secretary Vilsack has had to step out and explain the program. The first local government resolution opposing this was issued on February 16<sup>th</sup> out of Colorado. After the American Stewards of Liberty issued the first version of their guide and made it available for free download and information started spreading there was a lot of push back. Secretary Vilsack has come out and said that conserving 681 million acres is not a land grab as stated in the Farm Journal AgWeb article from April 22, 2021. "I can assure you this: There's no intention to have a land grab," Vilsack told reporters. "There's no intention to take something away from folks."

What are they doing? The executive order was signed January 27<sup>th</sup>. On February 11, the DOI did something very interesting. This was also before Deb Haaland was confirmed the Secretary of the Interior. The acting Secretary took action, which is unprecedented, and issued Sec. Order 3396. This order revoked 3388 issued by Secretary Bernhardt. In the last session, Congress fully and permanently funded the Land and Water Conservation Fund. Agencies are given money for Federal land acquisitions. When they passed this, it gave the SOI the ability to set policy on how the funds would be distributed. The Trump Administration said if we acquire private land in any County or State, we must have the consent of the States and Local Governments. On February 11<sup>th</sup>, the Biden Administration revoked this. This took away one of the key protections we had and early on starting clearing hurdles. In an Energy and Environment News publication dated February 11, 2021, stated "critics said this move would have prevented conservation efforts in states where more conservative leaders are sensitive about losing too much private land...".

There is a bill in Congress, H.R. 803 that would do the following:

- 1) Create 1.5 million acres of new wilderness –  
Ms. Byfield stated an outfitter in Montana who takes hunters into the wilderness area just had his grazing permit revoked. The grazing permit was for the horses he bring in. It will cost this man \$20,000 per season to bring in all the hay. He is the only person that can get people access to this land so if they get rid of him, people won't access the land.
- 2) Withdraw 1.2 million acres from mineral production – this is the area around the Grand Canyon that has rare earth minerals that we are now importing about 80 to 90% from China and Europe.
- 3) Designate 1,200 miles of new wild and scenic rivers
- 4) Expand 110,000 acres of national monument land
- 5) Add 400,000 acres of recreation, conservation, and special management areas



This bill is a natural resource bill that should have been heard by the Natural Resource Committee. The Democrats put this bill through the Rules Committee where they had a 12 – 4 majority. It was voted out and passed by the House within four days. This happened February 26<sup>th</sup>.

Look at the timeline...

January 27<sup>th</sup> – Executive order was signed

February 11<sup>th</sup> – States and Local Governments ability to veto removed

February 26<sup>th</sup> – Passed a massive wilderness bill

The White House endorsed this bill because it helps them get to 30 x 30.

Representative Diana DeGette is from the Denver area. Her portion of the bill designates half a million acres as wilderness. She doesn't represent the area being designated. The Representative who does represent the area opposed this bill. Ms. DeGette has been trying to get this passed for seventeen years. Now is her moment. The people who are pushing 30 x 30 do not own the land. They're not talking about conserving their land, they're talking about conserving your land.

Back to the CAP report: private land will absolutely be targeted. They think that three-quarters of the development conversion is happening on private land. What these people are really following is called the "Half Earth" philosophy. They believe that in order to save our world from this climate crisis we are in, we have to save half of our earth, permanently protected in its natural state. The CAP report, rule #8 explains 30% is a good start and position us to pursue, "longer term goal of conserving half of all its lands and waters". They have been watching who is filling the policy positions. There are a lot of people from the Center for American Progress filling these positions.

In the House and the Senate there is a Select Committee on Climate Crisis and in the last session they produced a report. In the report is a huge section about what policy needs to be made in order to reach 30 x 30. They want to prioritize through high-value protection designations and avoid designations that keep lands and waters open to extractive uses. They want to provide incentives for high-quality conservation on private lands, cross-jurisdictional collaboration at a landscape level with states, tribes, and local governments, and expand the number and size of national parks. Conservation easements are a big part of this.

Fox News, May 6, 2021, did a story on "Biden's conservation plan a land grab". You can watch the interview at <https://www.foxnews.com/politics/critics-bidens-conservation-plan-land-grab> A fisherman was interviewed, Margaret was interviewed, as well as a gentleman from National Geographic. He "explains" how we must save half the earth.

The American Stewards of Liberty have been working with Representative Boebert from Colorado and she has gone to work. Out of this, there was a letter signed by 70 Senators and Representatives that went to President Biden opposing 30 x 30 and asking for a briefing. The Biden Administration did a briefing and no real information was given. They did say they would use all the tools in the toolbox to conserve land. They were specifically asked about the Antiquities Act that allows the President to withdraw lands and distribute them without the approval of Congress or the public and they said yes, absolutely. The tools they plan to use include:

- 1) National Parks
- 2) Wilderness Areas
- 3) National Monuments (Antiquities Act)
- 4) National Wildlife Refuges
- 5) Wild and Scenic Rivers
- 6) State Parks
- 7) Historic Designations / Scenic Byways
- 8) ACEC's / Wilderness Study Area Conversions
- 9) Conservation Programs / Conservation Easements – Ms. Byfield stated a lot of programs have been helpful, but she cautioned we are in a different era. The Biden Administration knows the only way they can get to the 30% is with the cooperation of landowners



voluntarily putting their lands into programs they can eventually control. They can do this right now through policy, the laws are on the books. In the Endangered Species Act, 16 US Code 1536(a)(2) states, Federal agency shall insure that any action authorized, funded, or carried out by such agency is not likely to jeopardize the continued existence of any endangered species or threatened species. To put this in perspective, we are going to be dealing with the Lesser Prairie Chicken in our area again. If they designate critical habitat and it's your private property, that critical habitat does not apply to your private property unless there is a Federal Nexus and you are tied to a program that is funded. Watch the contracts closely. A proposed rule was issued about three weeks ago for the Lesser Prairie Chicken. They are splitting the population into two distinct populations and the larger segment they are going to list as threatened. The second population, which affects our area, will be listed as endangered. The premise for 30 x 30 is to protect species. They want to expand critical habitat areas and connect core areas.

The 12% comes from the USGS GAP Analysis Project report. They track the restrictions on lands. There are four GAP areas. GAP 1 is permanent protection from conversion of natural land. GAP 2 is permanent protections and mandated plan "primarily" in natural state. These two make up the 12%. GAP 3 has some areas subject to extractive uses and GAP 4 has no protections.

The National Climate Task Force has released a "public" version of the campaign. The public version rebrands 30 x 30 to now be called "America the Beautiful". They say this initiative is "locally driven" and includes "volunteer" conservation but no definition of conservation is given. The worst managed lands in our nation are managed by the Federal Government. There is also no identification of what lands qualify.

One of our best leaders on this is Nebraska Governor, Pete Ricketts. In the Nebraska statute, the Counties have to issue a special use permit for a conservation easement. If the conservation easement is in conflict with the County plan, they can deny it. Four days after Ms. Byfield got their guide to the Governor he came out with this statement, "while the report states that 30 x 30 will include voluntary private measures, at least in part, this reassurance is not enough. If the Biden Administration really believed that voluntary measures worked, they would leave conservation efforts to the states and private landowners instead of pursuing a national strategy that imposes goals written by federal bureaucrats". Governor Ricketts wrote a letter that was signed by 15 Governors opposing 30 x 30. Nebraska was rated in the top six states with the best natural resources and produces a high number of beeves or cattle. They are 97% private. Governor Ricketts pointed out that President Biden's state, Delaware, is 45<sup>th</sup> and asked why we would let the President manage our lands when we do it better.

The key points:

- 1) There is no authority for 30 x 30. The President cannot unilaterally decide that we as a nation are now going to conserve 30% of our land. He doesn't have that authority, Congress does. Congress has not said this. The President can only use existing programs to get to that point.
- 2) There is no credible science supporting this program.
- 3) Proponents don't have any skin in the game.

What are the good guys doing? Local Government resolutions opposing 30 x 30 are rolling and being passed all across the Nation. New Mexico has four Counties that have passed resolutions. These County resolutions opposing 30 x 30 are important because the Administration keeps saying this is "locally driven". 70 plus US Congressional members signed a letter opposing and there's been a second letter that followed up after the White House briefing. 15 Governors have opposed the Administration on 30 x 30. The Nebraska and Kansas Attorney's General have sent a letter to the White House and said we are going to watch you very closely for Federal overreach. The most recent action includes a bill being filed in the House and Senate that is the "30 x 30 Termination Act". The House bill is led by Representative Boebert with 25 co-signers and the Senate bill is sponsored by Kramer out of



North Dakota and Marshall out of Kansas. One of the things in this bill says that the Government can not acquire any more lands in States where they have 15% of the land already.

What do we do now? Organize your community. We are the only ones that can protect the home front. Watch conservation programs coming in. Distribute the Guide to Fight, ([www.americanstewards.us](http://www.americanstewards.us)). Support your County. Educate your neighbors, associations and elected leaders. Get connected, stay educated and ready to mobilize. Proverbs 21:31, The horse is prepared for the day of battle, but deliverance is of the Lord.

#### **UNSCHEDULED COMMUNICATIONS**

Kim Chesser, 399 Chesser Road, Roswell, NM. Many of us have used the EQIP Programs over the years. If we've signed those in the past are we still tied to them? Ms. Byfield stated she believes you will not be affected if the terms are up. This will include if you're in one right now or if you sign up for one.

You will want to check this out with an Attorney but it's her understanding is that it will include existing and new contracts.

Gayle Silva, Lincoln County. Fish and Game wants to put us in a lottery to be able to hunt our own property. Is this part of what they are doing? Ms. Byfield stated these are the things to be watching for.

John Thoesen, 32 N Sky Loop, Roswell. Will they use eminent domain? Ms. Byfield stated they are really not expecting them to use eminent domain. They are also tracking the money. Biden has a \$6 trillion dollar proposed budget. There is money allocated in there for "America the Beautiful", nothing specific. There is language that matches some of the other 30 x 30 material. The Lesser Prairie Chicken is a great example. They are using this because the areas or habitat is not intact, it's fragmented. There are already conservation programs in place for the Lesser Prairie Chicken.

Commissioner Ezzell stated Nexus means connection. He was involved in drafting the Chaves County comprehensive plan, which is still in force, and includes a provision that there would be no net gain of Federal lands. BLM signed off on this. As a County Commissioner he wants to protect our property taxes. We try to run Chaves County as a business and have to protect our interests. Anytime they chip away at the acres in our tax base we lose money. We have trouble making them adhere to this. Public input is so important. Write to your Congress people.

James Ellett, Penasco. They were in a meeting last week and they've already taken a ranch in Rio Arriba County. Ms. Byfield mentioned watching all the parts. Commissioner Ezzell stated there is nothing that would stop George Soros from coming in and offering him something for his ranch he couldn't turn down and then offering it to the Federal Government. Ms. Byfield mentioned watching what they are doing in the tax code. When you pass your land to your kids, the step up basis allows the taxes to be significantly reduced with the intent your kids keep the land, they are talking about doing away with this.

Gary Stone, Otero County. They have the NM Jumping mouse they are threatened by plus other things. They are in a lot of battles with the US Fish and Wildlife as well as the Forest Service. They are getting sued by the Center for Biological Diversity. How much of this is the agenda of the US Fish and Wildlife verses the Center for Biological Diversity? Ms. Byfield stated what do the environmentalists want and does the Administration agree with them? They are watching who is being staffed in policy positions. It is interesting that a lot of the environmental groups are not happy with "America the Beautiful". They have criticized Biden for not taking advantage of the moment. They want him to come and say "we're taking the land".

Louis Derrick, 66 Fire House Road, Eddy County. If they get rivers and streams this could be 60/40 or 70/30. Their green energy policies, there are Federal Nexus programs going on and companies are trying to get powerlines and substations through there, are they going to get special



treatment over the oil and gas? Ms. Byfield stated yes. The Lesser Prairie Chicken's greatest threat is identified as the wind so it's interesting to watch them begin to fight each other.

Richard, Otero County. In Reserve there are 16 Ranchers that are filing a lawsuit against Game and Fish. He wanted to let her know if she wanted to look into this.

Mr. Frasier, Otero County. Government took a ranch through eminent domain and now lease the grazing out to the highest bidder. They have illegal diversions. The 1978 lawsuit defined the Forest service jurisdiction and responsibilities and prohibited them from managing species and habitats. This went all the way to the Supreme Court. How do we get them held in contempt? Ms. Byfield stated she will give a general answer because she doesn't have all the information, but you only have the rights we're willing to defend. It gets very old when we have to fight the same battle over and over. The only way they win is if we don't fight.

**COUNTY MANAGER'S COMMUNICATIONS**

Bill Williams thanked everyone for coming out. He thanked Margaret for all the great information. He thanked Alfredo for coming out to put a link on our website. He thanked Tina Williams and Cheree Bilberry for setting up. He invited everyone to come to the Commissioner meetings every month or contact him for a copy of the County resolution.

**COMMISSIONERS' COMMUNICATIONS**

- \*Commissioner Dana stated it's exciting to see the crowd here tonight. Keep up the fight.
- \*Commissioner Taylor thanked everyone for coming out and asked everyone to talk to all your neighbors and friends.
- \*Commissioner Ezzell stated redneck's rule.
- \*Commissioner Bilberry stated he agreed with everything that was said.
- \*Commissioner Cavin thanked everyone and said we have to take a stand. We are going to have to fight to get a seat at the table. Within the next two months we should have half of the Counties in NM signing a resolution against this. They just put another resolution through the NM Counties to reform the ESA Act of 1973, almost a 50-year-old bill. They listed the spotted owl and wrecked our lumber industry. They found out they were actually harming the spotted owl. This is a bad deal for us. He asked everyone to stand and give Ms. Byfield a round of applause and donate to their cause.

**ADJOURNMENT OF MEETING**

Commissioner Dana moved to adjourn. Commissioner Bilberry seconded the motion. The meeting was adjourned at 8:41 pm.

**BOARD OF CHAVES COUNTY COMMISSIONERS**



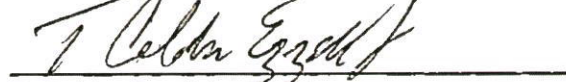
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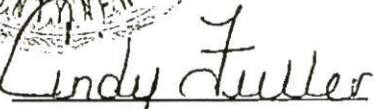


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Cindy Fuller  
County Clerk